

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES, in their capacities as
Trustees of the Laborers Health and Welfare
Trust Fund of Northern California, et al.,

Plaintiffs,

vs.

VICTORY ENGINEERS, INC.,

Defendant.

Case No.: C-12-01946-YGR

**ORDER LIFTING STAY AND SETTING
FURTHER COMPLIANCE HEARING**

Plaintiffs have filed a Case Management Statement Regarding Resolution of Defendant's Chapter 7 Bankruptcy. (Dkt. No. 15.) In light of the Bankruptcy Court issuing Final Decree granting Defendant's discharge from Chapter 7 bankruptcy, the stay in this action is **LIFTED**. The bankruptcy status hearing scheduled for May 3, 2013 at 9:01 a.m. is hereby **VACATED**.

Plaintiffs are **ORDERED** to provide an additional statement regarding the effect of Defendant's bankruptcy discharge on this action.¹ If Plaintiffs' claims were discharged in the bankruptcy, the parties shall file stipulation of dismissal. If the claims were not discharged and Plaintiffs intend to proceed with this action, they must provide a more detailed Case Management Statement.


A compliance hearing is scheduled for May 31, 2013 at 9:01 a.m. Five (5) business days prior to the date of the compliance hearing, Plaintiffs must the above-referenced stipulation of dismissal or Case Management Statement. If the dismissal or statement has been timely filed, no appearance will be required and the compliance hearing will be taken off calendar. Telephonic appearances will be

¹ The Court notes that Plaintiffs were required to *immediately* inform the Court when they became "aware that the bankruptcy stay has been vacated, modified to allow this matter to proceed, or terminated by dismissal of the bankruptcy action." (Dkt. No. 14.) Instead, it appears that Plaintiffs waited for over seven months to inform the Court.

1 allowed if the statement has been submitted in a timely fashion and the Court deems the hearing
2 necessary. Failure to do so may result in sanctions.

3 **IT IS SO ORDERED.**

4
5 Dated: May 2, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE